



# City of San Marcos

630 East Hopkins  
San Marcos, TX 78666

## Regular Meeting Agenda - Final City Council

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Tuesday, December 3, 2019

6:00 PM

City Council Chambers

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630 E. Hopkins

- I. Call To Order
- II. Roll Call
- III. Invocation
- IV. Pledges Of Allegiance - United States And Texas
- V. 30 Minute Citizen Comment Period

### CONSENT AGENDA

- 1. Consider approval, by motion, of the following meeting Minutes:
  - A. June 5, 2019 - Code SMTX Workshop Minutes
  - B. November 18, 2019 - Special Meeting Minutes
  - C. November 19, 2019 - Work Session Meeting Minutes
  - D. November 19, 2019 - Regular Meeting Minutes

**Attachments:** [11.18.19 Special Meeting Minutes.pdf](#)

[11.19.19 Work Session Minutes.pdf](#)

[11.19.19 Regular Meeting Minutes.pdf](#)

- 2. Consider approval of Ordinance 2019-43, on the second of two readings, amending section 6.2.2 of the planned development district standards for the Trace Planned Development District generally located East of IH-35 and South of Posey Road to allow two story multifamily residential buildings as the only required elevations without including three and four story buildings; and including procedural provisions.

**Attachments:**

[Ordinance](#)  
[PDD-15-01\(A\) Staff Memo-Second Reading of Ordinance](#)  
[PDD-15-01\(A\) Staff Report](#)  
[PDD-15-01\(A\) Aerial Map](#)  
[PDD-15-01\(A\) Existing Zoning Map](#)  
[PDD-15-01\(A\) Preferred Scenario Map](#)  
[PDD-15-01\(A\) Environmental Features Map](#)  
[PDD-15-01\(A\) NotificationMap](#)  
[PDD-15-01\(A\) Notification List](#)  
[PDD-15-01\(A\) Trace PDD Amennment #1](#)  
[PDD-15-01\(A\) Application](#)  
[PDD-15-01\(A\) Elevations](#)  
[PDD-15-01\(A\) Elevations 2](#)  
[PDD-15-01\(A\) Rendering](#)  
[PDD-15-01\(A\) San Marcos Development Code-2015 Multifamily Residential De:](#)

3. Consider approval of Ordinance 2019-44, on the second of two readings, amending Chapter 2, Division 3 - Neighborhood Commission, Sections 2.111 And 2.113 of the San Marcos City Code to allow one representative to represent both Sector 1 and Sector 8, and update the Neighborhood Commission's Activities and Duties previously recommended by the Neighborhood Commission to the City Council; and declaring an effective date.

**Attachments:**

[2019 Neighborhood Commission Amendments](#)  
[Resolution No. 2019-005R Neighborhood Commission Ordinance Change](#)  
[Resolution No. 2019-006R\(b\) Combine Sector 8 and Sector 1 into one sector](#)  
[Current Neighborhood Commission Ordinance](#)

4. Consider approval of Resolution 2019-243R, awarding a design contract to BGE, Inc. in the estimated amount of \$165,105 for preliminary engineering and field services for the Wallace Addition Offsite Drainage Improvements Project; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

**Attachments:**

[BGE, Inc. Design Agreement Resolution.docx](#)  
[CoSM\\_Wallace Add\\_Scope and Fee Proposal 102419 \(002\).pdf](#)  
[offside imps.pdf](#)

5. Consider approval of Resolution 2019-244R, approving the purchase and installation of replacement carpet for the San Marcos Activity Center from Mohawk Carpet Distribution, Inc. through the Texas Local Government Purchasing Cooperative BuyBoard (BuyBoard Contract No. 561-18) in the amount of \$86,639.46; authorizing the City Manager or his designee to execute the appropriate purchasing documents on behalf of the City; and declaring an effective date.

**Attachments:**     [Buyboard - Carpet at Activity Center.doc](#)  
                              [Mohawk PROPOSAL City of San Marcos Activity Center](#)

6. Consider approval of Resolution 2019-245R, approving a renewal of the advertising agreement with AJR Media Group for the creation of advertising campaigns to support the work of the San Marcos Convention and Visitor Bureau in the estimated annual amount of \$79,950 and authorizing three one-year additional renewals for a total contract price of \$240,000; authorizing the City Manager or his designee to execute the appropriate documents related to the renewal of the agreement; and declaring an effective date.

**Attachments:**     [AJR Media Group Renewal.doc](#)  
                              [ACIS4 San Marcos Meetings AJR Digital Media Solutions Executed.pdf](#)

7. Consider approval of Resolution 2019-246R, approving a renewal of the advertising agreement with Media Powers for the creation of advertising campaigns including print ads in USA Today and other publications to support the work of the San Marcos Convention and Visitor Bureau in the estimated annual amount of \$23,172 and authorizing three one-year additional renewals and ratifying previous annual contracts for a total contract price of \$141,182; authorizing the City Manager or his designee to execute the appropriate documents related to the renewal of the agreement; and declaring an effective date.

**Attachments:**     [Resolution - Advertising contract with Media Powers.docx](#)  
                              [ACIS2 218-064 \\$23,172 Media Powers.pdfExecuted.docx.pdf](#)

8. Consider approval of Resolution 2019-247R, approving a renewal of the advertising agreement with Trip Advisor for the creation of internet advertising campaigns to support the work of the San Marcos Convention and Visitor Bureau in the estimated annual amount of \$55,000.00 and authorizing three additional one-year renewals for a total contract price of \$165,000; authorizing the City Manager or his designee to execute the appropriate documents related to the renewal of the agreement; and declaring an effective date.

**Attachments:**     [Trip Advisor Renewal.doc](#)  
                              [ACIS3 218-029 Add \\$55,000 Executed.docx.pdf](#)

9. Consider approval of Resolution 2019-248R, approving the first amendment to the Interlocal Agreement between the City and Texas State University relating to the implementation of the Edwards Aquifer Habitat Conservation Plan to include removal of non-native plants, Texas wild rice enhancement, removal of floating plants, and management of key recreation areas; authorizing the City Manager or his designee to execute the amendment on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution - Amendment 1 to Texas State Interlocal.doc](#)  
                              [TSU ILA Amendment.pdf](#)  
                              [Interlocal TSU - HCP Measures 11-3-2016 Redlined 9-30-19.docx](#)  
                              [Interlocal TSU - HCP Measures Amendments clean 9-30-19.docx](#)  
                              [Interlocal Texas State Aquifer Conservation Plan 2016-175.pdf](#)

10. Consider approval of Resolution 2019-249R, approving the award of a Predevelopment

Services Agreement with Hunt Companies, Inc. in the not-to-exceed amount of \$1,500,000 for pre-development services relating to the new Public Services Complex; authorizing the City Manager or his designee to execute the agreement on behalf of the City; and declaring an effective date.

**Attachments:**     [Resolution-Hunt Companies, Inc. Public Services Complex.doc](#)  
[219-209 3rd Party Developer RFQ Proposal Log.pdf](#)

11. Consider approval of Resolution 2019-250R, approving a Change in Service to the Engineering Services agreement with Lockwood, Andrews & Newnam, Inc. (contract no. 218-307), relating to the Purgatory Creek Improvement Project, to provide for 30 percent design phase engineering services in the estimated amount of \$1,694,774; authorizing the city manager or his designee to execute the appropriate documents to implement the change in service; and declaring an effective date.

**Attachments:**     [Resolution](#)  
[LAN Purgatory30%DesignProposal 9MB 191023.pdf](#)  
[Purgatory Creek Drainage Imp Map.docx](#)  
[Purgatory Creek Channel Impr Council Meeting 05212019.pptx](#)

12. Consider approval, by motion, of Change in Service No. 1 for Recreation Engineering and Planning for bidding assistance and construction inspection services for the Rio Vista Falls Repair Project in an amount not to exceed \$42,600.00.

**Attachments:**     [Rio Vista Falls Repair Project.pdf](#)  
[Executed Agreement with REP.pdf](#)  
[CIS#1.pdf](#)

## **PUBLIC HEARINGS**

13. Receive a Staff presentation and hold a Public Hearing to receive comments for or against Ordinance 2019-45, amending various sections of the City's Land Development Code to, among other things, address typographical and technical errors, implement recommendations of the Historic Preservation Commission to restrict the painting of masonry in the downtown historic district, and to implement changes in response to new laws enacted during the 2019 Legislative Session; amending Section 86.188 of the San Marcos City Code to require new development to have underground electric utilities, to require overhead electric service installations to be on steel poles, and to establish certain standards for electric easements; providing a savings clause; providing for the repeal of any conflicting provisions; and providing an effective date; and Consider approval of Ordinance 2019-45, on the first of two readings.

**Attachments:**     [Code Amendments Phase 1 Presentation](#)  
                              [Ordinance](#)  
                              [Staff Memo](#)  
                              [Exhibit A-Recommendations Table](#)  
                              [Exhibit B-Redlined Code](#)  
                              [Exhibit C-Zoning District and Building Standards Pages, House Bill 2439](#)  
                              [Exhibit D-Historic Preservation Commission Resolution & Research](#)  
                              [Exhibit E-House Bill 2439, House Bill 3167](#)

## NON-CONSENT AGENDA

14. Consider approval of Resolution 2019-238R, providing no objection to the submission of an application for low income housing tax credits to the Texas Department of Housing and Community Affairs for the proposed Lantana on Bastrop Multifamily Housing Project located at the intersection of South Old Bastrop Highway and Rattler Road; approving findings related to the application; imposing conditions for such non objection; providing authorizations for execution or submission of documents related to the application; and declaring an effective date.

**Attachments:**     [LIHTC-19-04 Resolution](#)  
                              [LIHTC-19-04 Staff Memo](#)  
                              [LIHTC-19-04 Project Summary](#)  
                              [LIHTC-19-04 Aerial Map](#)  
                              [LIHTC-19-04 Zoning Map](#)  
                              [LIHTC-19-04 Preferred Scenario](#)  
                              [LIHTC-19-04 Distance to Services](#)  
                              [LIHTC-19-04 Existing Sidewalks](#)  
                              [LIHTC-19-04 CART Route and Stops](#)  
                              [LIHTC-19-04 TDHCA Project Amenities](#)  
                              [LIHTC-19-04 - Application](#)  
                              [LIHTC-19-04 San Marcos Housing Authority Financial Summary](#)  
                              [LIHTC-19-04 San Marcos Housing Authority Letter of Support](#)  
                              [LIHTC-19-04 Applicant Response, 11/19 City Council](#)  
                              [LIHTC-19-04 Pro Forma](#)

15. Discuss and consider appointments or reappointments to Positions One, Four, Eight and Nine of the Tax Increment Reinvestment Zone (TIRZ) Number 4 - Paso Robles (now known as Kissing Tree) Board of Directors, and provide direction to Staff.

**Attachments:**     [Ord 2011-068 - TIRZ 4](#)

16. Discuss and consider appointments or reappointments to Positions One and Five of the Tax Increment Reinvestment Zone (TIRZ) No. 5 (Downtown) Board of Directors, and provide direction to Staff.

Attachments:     [TIRZ No. 5 Map](#)  
                              [Res 2011-150.pdf](#)

17. Consider the appointment of a City Council Member to the Capital Area Council of Governments (CAPCOG) Clean Air Coalition, and provide direction to Staff.

Attachments:     [CAC Bylaws Revised 2016-02-10.pdf](#)

## **EXECUTIVE SESSION (if necessary)**

18. Executive Session in accordance with the following Government Code Section(s):

- A. Section § 551.071 - Consultation with Attorney: to receive a staff briefing and deliberate regarding Hays County Municipal Utility District No. 8., to receive a staff briefing and deliberate regarding Martindale ETJ Matters, and to receive a staff briefing and deliberate regarding Kyle ETJ Matters
- B. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Project Molly
- C. Section § 551.072 - Real Property: acquisition of property in Downtown San Marcos for Public Use

## **DIRECTION / ACTION FOLLOWING EXECUTIVE SESSION**

19. Consider action, by motion, regarding the following Executive Session items held during the Work Session and/or Regular Meeting:

- A. Section § 551.071 - Consultation with Attorney: to receive a staff briefing and deliberate regarding Hays County Municipal Utility District No. 8., to receive a staff briefing and deliberate regarding Martindale ETJ Matters, and to receive a staff briefing and deliberate regarding Kyle ETJ Matters
- B. Section § 551.087 - Economic Development: to receive a staff briefing and deliberate regarding Project Molly
- C. Section § 551.072 - Real Property: acquisition of property in Downtown San Marcos for Public Use

VI. Question and Answer Session with Press and Public.

VII. Adjournment.

**POSTED ON TUESDAY, NOVEMBER 26, 2019 @4:00PM**

**TAMMY K. COOK, INTERIM CITY CLERK**

#### Notice of Assistance at the Public Meetings

The City of San Marcos does not discriminate on the basis of disability in the admission or access to its services, programs, or activities. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855-461-6674 or sent by e-mail to [ADArequest@sanmarcostx.gov](mailto:ADArequest@sanmarcostx.gov)